

NOV 01 2005

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## PART B - FEE(S) TRANSMITTAL

or Fax

Mail Stop ISSUE FEE  
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 (571) 273-2885

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

21901

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10/13/2005

SMITH & HOPEN PA  
 15950 BAY VISTA DRIVE  
 SUITE 220  
 CLEARWATER, FL 33760

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Deborah Preza	(Depositor's name)
<i>Deborah Preza</i>	(Signature)
November 1, 2005	
(Date)	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/065,704	11/12/2002	John S. Fisher	1139.23	4253

TITLE OF INVENTION: BIOABSORBABLE MARKER HAVING EXTERNAL ANCHORING MEANS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YBS	5700	\$0	\$700	01/13/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
JUNG, WILLIAM C	3737	600-433000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.  
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list  
 (1) the names of up to 3 registered patent attorneys or agents OR, alternatively,  
 (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Ronald E. Smith  
 2 Smith & Hopen, P.A.  
 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Biopsy Sciences, LLC

Clearwater, Florida

Please check the appropriate assignee category or categories (will not be printed on the patent):  Individual  Corporation or other private group entity  Government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

Issue Fee  
 Publication Fee (No small entity discount permitted)  
 Advance Order - # of Copies \_\_\_\_\_

A check in the amount of the fee(s) is enclosed.  
 Payment by credit card. Form PTO-2038 is attached.  
 The Director is hereby authorized by charge the required fee(s), or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

The Director of the USPTO is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature *Ronald E. Smith*

Date November 1, 2005

Typed or printed name Ronald E. Smith

Registration No. 28,761

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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**smith & hopen, p.a.**

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# FAX INTELLECTUAL PROPERTY LAW

To:	U.S. Patent & Trademark Office	From:	Ronald E. Smith
Attn:	Mail Stop Issue Fee	Client:	1139.23
Fax:	(703) 746-4000	Pages:	4 including coversheet
Phone:		Date:	November 1, 2005
Re:	USSN 10/065,704	CC:	John S. Fisher / Frederick Ahari

Urgent       For Review       Please Comment       Please Reply       Please Recycle

Dear Sir:

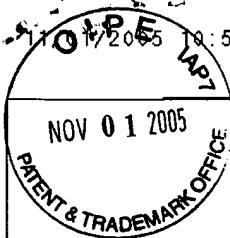
In response to the Notice of Allowance mailed October 13, 2005, we enclose the following:

- 1) Transmittal of Payment of Issue Fee with Certificate of Facsimile Transmission under 37 CFR 1.8(a) dated November 1, 2005 (1 page);
- 2) Form PTOL-85 (1 page); and
- 3) Credit Card Payment Form PTO-2038 in the amount of \$700.00 (1 page).

Very respectfully,

Ronald E. Smith  
Reg. No. 28,761

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002/004

NOV 01 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/065,704 Confirmation No.: 4253  
Applicants: : John S. Fisher  
: Frederick Ahari  
Filed: : 11/12/2002  
TC/A.U. : 3737  
Examiner : William C. Jung  
  
Docket No. : 1139.23  
Customer No. : 21,901  
For : Bioabsorbable Marker Having External Anchoring Means

Faxed to (703) 746-4000  
Mail Stop ISSUE FEE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF PAYMENT OF ISSUE FEE (37 C.F.R. 1.311)**

1. Applicant hereby pays the issue fee for the attached Issue Fee Transmittal PTOL-85.
2. Fee (37 C.F.R. 1.18(a)):

Fee

Application status is Small Entity—fee: \$700.00

3. Payment of fee:

Enclosed please find Credit Card Payment Form PTO-2038 for \$700.00

**SIGNATURE OF PRACTITIONER**

Ronald E. Smith  
Suite 220  
15950 Bay Vista Drive  
Clearwater, FL 33760

Reg. No. 28,761  
Tel. No.: (727) 507-8558

**CERTIFICATE OF FACSIMILE TRANSMISSION**

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this correspondence and payment is being transmitted to the United States Patent and Trademark Office by facsimile to (703) 746-4000 on November 1, 2005.

Dated: November 1, 2005

  
Deborah Preza